

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: MICHAEL J. MAILLE
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PCT

UNITED STATES

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WRITTEN OPINION

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(PCT Rule 66)

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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

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Applicant's or agent's file reference
42390.P6871PCT

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International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US00/32241	21 NOVEMBER 2000	28 DECEMBER 1999

International Patent Classification (IPC) or both national classification and IPC
IPC(7): G06F 9/38 and US Cl.: 709/107

Applicant
INTEL CORPORATION

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I Basis of the opinion
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 28 APRIL 2002.

Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer LARRY DONAGHUE <i>James R. Metzler</i> Telephone No. (703) 305-9675
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I. Basis of the opinion

1. With regard to the elements of the international application:*

 the international application as originally filed the description

pages 1-36 as originally filed

pages **NONE**pages **NONE** filed with the demandpages **NONE**, filed with the letter of _____ the claims

pages 37-41 as originally filed

pages **NONE**pages **NONE**, filed with the demandpages **NONE**, filed with the letter of _____ the drawings

pages 1-19 as originally filed

pages **NONE**pages **NONE** filed with the demandpages **NONE**, filed with the letter of _____ the sequence listing part of thedescription **NONE** as originally filedpages **NONE**pages **NONE**, filed with the demandpages **NONE**, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

 the language of a translation furnished for the purposes of international search (under Rule 23.1(b)) the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and or 55.3)

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing.

 contained in the international application in printed form. filed together with the international application in computer readable form furnished subsequently to this Authority in written form furnished subsequently to this Authority in computer readable form The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. The amendments have resulted in the cancellation of: the description, pages **NONE** the claims, Nos. **NONE** the drawings, sheets **NONE**5. This opinion has been drawn as if (some of) the amendment(s) had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c))

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. statement

Novelty (N)	Claims	5-6, 10-22	YES
	Claims	1-4, 7-9, 23-28	NO
Inventive Step (IS)	Claims	5-6, 10-22	YES
	Claims	1-4, 7-9, 23-28	NO
Industrial Applicability (IA)	Claims	1-28	YES
	Claims	NONE	NO

2. citations and explanations

Claims 1-4, 7-9, 24,26,27 lack novelty under PCT Article 33(2) as being anticipated by Duxbury et al. (EP 352,935).

Duxbury et al. taught the invention as claimed including partitioning a resource and allocating a portion to each resource, sizing and marking the portion, and the portion based on priority and specifying the boundaries (col. 2, line 18- col. 3, line 33). Further Duxbury et al. taught the use of pointers to stall the threaded if insufficient resources are available.

Claims 1 and 23-28 lack novelty under PCT Article 33(2) as being anticipated by Bartley et al. (EP 962,856).

Bartley et al. taught the invention as claimed including partitioning a resource and allocating a portion to each resource, and determining if the processor is operating in single thread or multithread mode (abstract , fig. 1)

----- NEW CITATIONS -----
NONE

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.